

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : M. SOMMERS, et al.  
FOR : **METHOD AND APPARATUS FOR  
TRI-COLOR RAIL SIGNAL SYSTEM  
WITH CONTROL**  
SERIAL NO. : Unknown  
FILED : Herewith  
ATTORNEY DOCKET NO. : GLOZ 2 00153 (#133821)

**INFORMATION DISCLOSURE STATEMENT**

**MAIL STOP PATENT APPLICATION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

In accordance with the United States Patent and Trademark Office OG Notice dated 05 August 2003, waiving the requirement under 37 C.F.R. §1.98(a)(2)(i), for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, Applicant(s) has not enclosed copies of the cited U.S. patents with this Disclosure.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed require(s) no further explanation (or no translation is available).

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

**WITHIN THREE MONTHS OF FILING:** Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the filing date of the application. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

**BEFORE FIRST OFFICE ACTION:** Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

**INTERNATIONAL SEARCH REPORT:** Under § 1.97(e)(1), the undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

**BEFORE FINAL ACTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement. Any overpayment or deficiency can be charged to Deposit Account No. 06-0308.

**PRIORITY CLAIM:** The attached PTO 1449 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this

application. In accordance with § 609 MPEP, only copies of art not previously submitted are enclosed.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP



January 8, 2004

Date

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216/861-5582

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**CERTIFICATE OF MAILING**

I certify that this Information Disclosure Statement and accompanying document(s) are being  
 deposited with the United States Postal Service "Express Mail Post Office to Addressee" service  
under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP PATENT  
APPLICATION, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature
EL998016041US	Hilary M McNulty
Date	Printed Name
January 8, 2004	Hilary M. McNULTY

Substitute for form 1449/PTO		<b>COMPLETE IF KNOWN</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)</b> <i>(Use as many sheets as necessary)</i>		Application Number	Unknown	
		Filing Date	Herewith	
		First Named Inventor	M. SOMMERS, et al.	
		Art Unit		
		Examiner Name		
Sheet 1 of 1		Attorney Docket No.	GLOZ 2 00153 (#133821)	

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document No. Number-Kind Code <small>(if known)</small>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-6,527,422 B1	03/04/2003	Hutchison	
	AB	US-6,509,840 B2	01/21/2003	Martineau	
	AC	US-6,495,964 B1	12/17/2002	Muthu, et al.	
	AD	US-6,474,839 B1	11/05/2002	Hutchison	
	AE	US-6,450,662 B1	09/17/2002	Hutchison	
	AF	US-6,445,139 B1	09/03/2002	Marshall, et al.	
	AG	US-6,439,743 B1	08/27/2002	Hutchison	
	AH	US-			
	AI	US-			
	AJ	US-			
	AK	US-			
	AL	US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number Kind Code <small>(if known)</small>				
	AM					
	AN					
	AO					
	AP					

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AQ	J. BULLOUGH, et al. "Optimizing the Design and Use of Light-Emitting Diodes for Visually Critical Applications in Transportation and Architecture" ©2000 Lighting Research Center, Rensselaer Polytechnic Institute, and Pacific Gas and Electric Company <a href="http://www.lrc.rpi.edu/Ltgtrans/LED/led-tech.html">http://www.lrc.rpi.edu/Ltgtrans/LED/led-tech.html</a> , 2 pages	
	AR		
	AS		

Examiner Signature		Date Considered	
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